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BOSTON, MASSACHUSETTS  
S. C. N.Y.  
JUDGE

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HAGENS BERMAN  
SOBOL SHAPIRO LLP

November 6, 2007

**Via Facsimile**

The Honorable Harold Baer, Jr.  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl St., Room 2230  
New York, NY 10007

Re: Health Insurance Plan of NY v. Aventis Pharmaceuticals, Inc., 07-CV-06785-HB

Dear Judge Baer,

After further consideration of the jurisdictional issues related to Plaintiff Health Insurance Plan of New York's ("HIPNY's") claims in the above-referenced matter, HIPNY has this afternoon filed a notice of dismissal of its claims in this case pursuant to Fed. R. Civ. P. 41(a)(1)(i).

This obviates any need for indirect purchaser counsel to participate in the pre-trial conference scheduled for tomorrow, Wednesday, November 7, 2007 at 3:00pm.

Sincerely,

HAGENS BERMAN SOBOL SHAPIRO LLP

Edward Notargiacomo

cc: Peter St. Phillip  
Mark M. Sandmann  
Christopher R. Farrell  
Julia E. McEvoy

SO ORDERED:

Harold Baer, Jr., U.S.D.J.

Date: 11/9/07